



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant Ontario Power Generation Inc.

Subject Application to Amend the Pickering Nuclear
Generating Station B Power Reactor Operating
Licence to Reflect Updates in Documentation

Hearing Date May 31, 2011

RECORD OF PROCEEDINGS

Applicant: Ontario Power Generation Inc.

Address/Location: 889 Brock Road, P82-6E2, Pickering, Ontario L1W 3J2

Purpose: Application to amend the Pickering Nuclear Generating Station B Power Reactor Operating Licence to Reflect Updates in Documentation

Applications received: December 17, 2010 and January 18, 2011

Date of hearing: May 31, 2011

Location: Canadian Nuclear Safety Commission (CNSC) Headquarters
280 Slater St., Ottawa, Ontario

Members present: M. Binder, Chair

Secretary: M. Leblanc
Recording Secretary: D. Major

Licence: Amended

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Introduction

1. Ontario Power Generation Inc. (OPG) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for two amendments to the Power Reactor Operating Licence for its Pickering Nuclear Generating Station (NGS) B located in Pickering, Ontario. The current licence, PROL 08.13/2013, expires on June 30, 2013.
2. The changes requested by OPG are updates to the operating licence to reflect the most current revisions of the OPG documents entitled “Records and Document Control” and “Building Development Site Plan”.

Issue

3. In considering the application, the Commission was required to decide, pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*² (NSCA):
 - a) if OPG is qualified to carry on the activity that the amended licence would authorize; and
 - b) if in carrying on that activity, OPG would make adequate provision for the protection of the environment, the health and safety of persons and the maintenance of national security and measures required to implement international obligations to which Canada has agreed.

Hearing

4. Pursuant to section 22 of the NSCA, the President of the Commission established a Panel of the Commission to review the application. The Commission, in making its decision, considered information presented for a hearing held on May 31, 2011 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 11-H113) and OPG (CMD 11-H113.1).

Decision

5. Based on its consideration of the matter, as described in more detail in the following sections of this *Record of Proceedings*, the Commission concludes that OPG has met the conditions of subsection 24(4) of the NSCA. Therefore,

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends the Power Reactor Operating Licence PROL 08.13/2013 issued to Ontario Power Generation Inc. for its Pickering Nuclear Generating Station B located in Pickering, Ontario. The amended licence, PROL 08.14/2013, is valid until June 30, 2013.

¹ The *Canadian Nuclear Safety Commission* is referred to as the “CNSC” when referring to the organization and its staff in general, and as the “Commission” when referring to the tribunal component.

² Statutes of Canada (S.C.) 1997, chapter (c.) 9.

Issues and Commission Findings

Qualifications and Protection Measures

6. OPG requested an update to Appendix B of the operating licence to reflect the most current revision, Revision 9, of the OPG document entitled “Records and Document Control”. CNSC staff reported that the changes to this document clarify accountabilities and requirements for records and documentation changes. CNSC staff also reported that an update to the document’s reference list was made.
7. OPG also requested an update to Appendix A of the operating licence to reflect the most current revision, Revision 28, of the OPG document entitled “Building Development Site Plan”. CNSC staff reported that the changes to this document reflect the recent modifications made to the Pickering NGS B facility.
8. CNSC staff reported that the proposed changes to the operating licence are administrative in nature and that they will not adversely affect the safe operation of the Pickering NGS B. CNSC staff also considers that the proposed revised documents are acceptable to reference in the operating licence.
9. CNSC staff has determined that, since the requested amendments are administrative, these changes will have no adverse impact on the Aboriginal rights or Treaty rights of Aboriginal groups. CNSC staff stated that Aboriginal consultation was not necessary in relation to the proposed licence amendments.

Application of the *Canadian Environmental Assessment Act*

10. Before making a licensing decision, the Commission must be satisfied that all applicable requirements of the *Canadian Environmental Assessment Act*³ (CEAA) have been fulfilled.
11. CNSC staff reported that it had completed an Environmental Assessment (EA) determination. CNSC staff stated that there was no requirement for an EA pursuant to subsection 5(1) of the CEAA.

Conclusion

12. The Commission has considered the information and submissions of CNSC staff and OPG and is satisfied that the requested amendments are administrative in nature and will not adversely impact the safety of the Pickering NGS B operations. The Commission is also satisfied that aboriginal consultation is not necessary in relation to the proposed amendments.

³ S.C. 1992, c. 37.

13. The Commission is also satisfied that all applicable requirements of the CEAA have been fulfilled.



Michael Binder
President,
Canadian Nuclear Safety Commission

MAY 31 2011

Date